

PROB 12C
(7/93)

UNITED STATES DISTRICT COURT
for
The Middle District of Alabama

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: DAVIS, Willie Ray

Case Number: 1:07CR00163-WKW

Name of Sentencing Judicial Officer: Honorable Kenneth P. Neiman, U. S. Magistrate Judge, District of Massachusetts; Reassigned to the Honorable W. Keith Watkins, United States District Judge

Date of Original Sentence: May 21, 2007

Original Offense: 21 U.S.C. § 844- Possession of Cocaine Base

Original Sentence: Three (3) year term of Probation

Type of Supervision: Probation

Date Supervision Commenced: May 21, 2007

Assistant U.S. Attorney: Louis V. Franklin

Defense Attorney: Federal Defender

PETITIONING THE COURT

- ☒ To issue a summons
☐ To issue a warrant

The Probation Officer believes that the offender has violated the following condition(s) of supervision:

- | Violation Number | Nature of Noncompliance |
|-------------------------|---|
| 1. | Violation of mandatory condition of probation which states, "The defendant shall refrain from any unlawful use of a controlled substance."

On November 20, 2007, an instant drug test was obtained from Davis, observed by United States Probation Officer Brad Brockett. The test revealed a presumptive positive for cocaine. The urine specimen was forwarded to Scientific Testing Laboratories for further testing. Scientific Testing Laboratories subsequently notified the probation office that the specimen had tested positive for cocaine. |
| 2. | Violation of Standard Condition No. 3 which states, "The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer."

On September 13, 2007, the probation officer instructed Davis to have a chest X-ray taken in order for him to be medically cleared to enter The Haven, a residential treatment facility located in Dothan, Alabama. Davis has not had an chest X-ray taken, therefore, has failed to follow the instructions of the probation officer. Additionally, because Davis failed to have an X-ray taken, he has been unable to enter the substance abuse treatment program. |
| 3. | Violation of special condition of probation which states, "As a condition of supervision, you are instructed to pay a fine in the amount of \$1,000; it shall be paid immediately or according to a court ordered payment schedule." |

Davis was ordered to pay a fine in the amount of \$1,000. On August 17, 2007, Davis paid \$25 toward his fine obligation, however, he has failed to submit any additional payments. The fine balance is currently \$975.

U. S. Probation Officer Recommendation:

☒ The term of supervision should be

☒ revoked.

☐ extended for __ months

☐ The conditions of supervision should be modified.

I declare under penalty of perjury that the foregoing is true and correct.
Executed on December 4, 2007.

/s/ Brad Brockett
Brad Brockett
United States Probation Officer

Reviewed and Approved:

/s/ Robert A. Pitcher
Robert A. Pitcher, Senior U. S. Probation Officer/OIC

THE COURT ORDERS:

☒ The Issuance of a Summons

☐ The Issuance of a Warrant

☐ No Action

☐ Other

X – It is further ORDERED that a hearing is set for January 8, 2008, at 11:00 a.m., in Courtroom 2-E of the Frank M. Johnson Jr. United States Courthouse Complex, One Church Street, Montgomery, Alabama.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE

Dated: December 7, 2007